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17	CITT AND COUNTT OF SAN TRANCISCO			
,				
18	UNITED STATES DISTRICT COURT			
10	NODTHEDN DIGT	DICT OF CALLEODAL	A	
19	NORTHERN DIST	RICT OF CALIFORNIA	A	
20	METRO FUEL LLC, a Delaware limited	Case No. C07-6067 P	ЭН	
	liability company,	2 201 0001 1		
21		The Honorable Phylli	s J. Hamilton	
	Plaintiff,			
22		TOTAL CARE MAN	ACEMENT	
23	VS.	JOINT CASE MAN STATEMENT AND		
23	CITY OF SAN FRANCISCO, a municipal	ORDER	[FROT OBED]	
24	corporation, COUNTY OF SAN	<u> </u>		
	FRANCISCO, a subdivision of the State	Hearing Date:	November 12, 2009	
25	of California, CITY AND COUNTY OF	Time:	2:30 P.M.	
,	SAN FRANCISCO, a chartered California			
26	city and county and DOE 1 through DOE 10,			
27	10,			
- /	Defendants.			
00				

1	The parties in this action hereby submit this Joint Case Management Statement and				
2	advise the Court as follows:				
3	1. On or about April 16, 2009, the United States Court of Appeals for the Ninth				
4	Circuit denied the petition for rehearing en banc in the <i>Metro Lights</i> case.				
5	2. Metro Fuel (which is the successor in interest to Metro Lights) filed its petition				
6	for certiorari to the United States Supreme Court in the <i>Metro Lights</i> case on August 31, 2009.				
7 8	3. Los Angeles's response to Metro Fuel's petition for certiorari in the <i>Metro</i>				
9	Lights case is now due on November 16, 2009.				
0	4. The parties expect that the United States Supreme Court will act on the petition				
1	in January 2010.				
2	5. The parties hereby jointly recommend and request that the Case Management				
3	Conference presently scheduled for November 12, 2009, be continued until February 11, 2010, at				
14	2:00 2:30 p.m., with a Joint Case Management Statement to be filed on or before January 28, 2010.				
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1				
2	6. The continuance shall not preclude the parties from filing a motion before the			
3	Case Management Conference.			
4	Dated: October 29, 2009	EMERY CELLI BRINCKERHOFF & ABADY LLP		
5	,			
6		By: ERIC HECKER		
7		ERIC HECKER		
8		Attorneys for Plaintiff METRO FUEL LLC.		
9	Dated: October 29, 2009	DENNIS J. HERRERA		
10		City Attorney KRISTEN A. JENSEN		
11		THOMAS S. LAKRITZ VICTORIA WONG		
12		Deputy City Attorneys		
13				
14		By: /S/ . THOMAS S. LAKRITZ		
15 16		Attorneys for Defendant CITY AND COUNTY OF SAN FRANCISCO		
17		Of BAIVI MAIVEISCO		
18	rpp op og pp 1 g 4			
19	[PROPOSED] CASE MANAGEMENT ORDER			
20	The Case Management Conference Statement of the parties is hereby adopted by the Court as the Case Management Order for the case and the parties are ordered to comply with this Order. The			
21				
22	Court further orders:			
23				
24	IT IS SO ORDERED:	STATES DISTRICT COL		
25	11/2/00	IT IS SO ORDERED		
26	Dated: 11/2/09	By: Hamilton		
27		United States Austrict Court Judge		
28		W DISTRICT O		

JOINT CASE MANAGEMENT STATEMENT USDC No. C07-6067 PJH

SIGNATURE ATTESTATION (U.S.D.C. N.D. Cal. General Order 45, Section X.B) I obtained the concurrence in the filing of this document from each other signatory, or from the single signatory, in compliance with U.S.D.C. N.D. General Order 45, Section X.B. Dated: October 29, 2009 DENNIS J. HERRERA City Attorney KRISTEN A. JENSEN THOMAS S. LAKRITZ VICTORIA WONG Deputy City Attorneys By: THOMAS S. LAKRITZ Attorneys for Defendant CITY AND COUNTY OF SAN FRANCISCO